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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,739	07/17/2003	Roger E. Weiss	15876-46042	1788
7590	08/14/2006		EXAMINER NGUYEN, TRUC T	
Brian M. Dingman Mirick, O'Connell, DeMallie & Lougee, LLP 1700 West Park Drive Westborough, MA 01581-3941			ART UNIT 2833	PAPER NUMBER

DATE MAILED: 08/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/621,739

Applicant(s)

WEISS ET AL.

Examiner

Truc T. T. Nguyen

Art Unit

2833

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 and 18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 and 18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 7-8, 12-14 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Stobie (US 5,782,645).

Stobie disclose a separable electrical connector, comprising:

at least two multi-conductor cables (32, 42) with exposed conductors (102, 100) and is being as a spaced coaxial conductor (see Figure 4);

anisotropic conductive elastomer (44);

mounting sleeves (80, 82);

mechanical clamp assembly (40, 21, 24, Figure 4).

The limitation of "the mounting sleeves is made by potting...." in claim 14 does not carry a patentable weight. The patentability of a product does not depend on its method of production. If the product in the product-by-process claim is the same as or obvious from a product of the prior art, the claim is unpatentable even though the prior product was made by a different process." *In re Thorpe*, 777 F.2d 695, 698, 227 USPQ 964, 966 (Fed. Cir. 1985).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-2, 6, 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Niedzwiecki (US 3,613,049) in view of Wood et al. (US 4,808,112).

Niedzwiecki discloses a separable electrical connector, comprising:

at least two flex multi-conductor ribbon cable (14) with exposed spaced coaxial conductors (15);

an electrical connection block (13) in electrical contact with the exposed conductors;

a compression mechanical structure (11, 12, 23a, 23b).

Niedzwiecki substantially disclosed the claimed invention except the electrical connection block is being as an anisotropic conductive elastomer.

Wood et al. teach an anisotropic conductive elastomer (12) in direct contact with conductors (11, 15).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to substitute the connection block in the Niedzwiecki's connector by the anisotropic conductive elastomer, as taught by Wood et al. for providing a low profile connector and reliable electrical connection.

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5. Claims 3-4 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Niedzwiecki (US 3,613,049) and Wood et al. (US 4,808,112) as applied in claim 1 above, and further in view of Buck et al. (US 6,786,762).

In the modified connector, Niedzwiecki and Wood substantially disclosed the claimed invention except for the exposed conductor being directly connected to a paddle board/circuit board.

Buck et al. teach a board (50) in directly connection with conductors (40) of cable (34).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide a board into the modified connector of Niedzwiecki, as taught by Buck et al. for providing a precise electrical connection.

Providing a board at each end of the flex cable is just a mere duplication design. It has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8.

6. Claims 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buck et al. (US 6,786,762) in view of Wood et al. (US 4,808,112).

Buck et al. disclose a separable electrical connector, comprising:

a multi-conductor ribbon cable (134) with exposed conductors (140, 141);

a paddle board (150) having conductors (160);

a printed circuit board (22).

Buck et al. substantially disclosed the claimed invention except for an anisotropic conductive elastomer.

Wood et al. teach an anisotropic conductive elastomer (12) in direct contact with conductors (11, 15).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to substitute the connection block in the Niedzwiecki's connector by the anisotropic conductive elastomer, as taught by Wood et al. for providing a reliable electrical connection.

7. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Buck et al. (US 6,786,762) and Wood et al. (US 4,808,112) as applied in claim 15 above, and further in view of Niedzwiecki (US 3,613,049).

In the modified connector, Buck et al. and Wood et al. substantially disclosed the claimed invention except for the second electrical device is being as a second ribbon cable.

Niedzwiecki teach two ribbon cables (14) being electrically connected to each other.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to substitute the circuit board in the Buck's connector by the ribbon cable, as taught by Niedzwiecki for absorbing vibration and thus providing a reliable electrical connection.

Providing a board at each end of the ribbon cable is just a mere duplication design. It has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8.

Response to Arguments

Applicant's arguments filed 5/10/06 have been fully considered but they are not persuasive. Because:

a) In response to the applicant's argument that *"Stobie discloses multi-conductor cables, but does not disclose or suggest a coaxial cable with coaxial cable conductors"*.

The examiner respectfully disagrees. Stobie substantially disclosed the claimed invention except the cable is being as a coaxial cable conductor. It has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitation. *Ex Parte Masham, 2 USPQ2d 1647 (1987)*.

b) In response to the applicant's argument that *"Stobie's cable conductors are not in proximity to one another"*.

The examiner respectfully disagrees. The length of Stobie's conductive rods is very small and thus the conductors are in proximity to one another.

c) In response to the applicant's argument that "if the ACE of Wood was substituted for the center block and contact members of Niedzwiecki, Niedzwiecki would not function properly... Substituting a flat ACE layer into the structure of Niedzwiecki would not accomplish electrical connection between the two cables"; and

"Niedzwiecki teaches interconnection of two ribbon cables. However, as described above, Niedzwiecki could not use ACE in its connector. Accordingly, it is improper to combine Wood and Niedzwiecki in this manner".

The examiner respectfully disagrees. The examiner only rely the teaching of Wood is the material ACE is being used between the two conductors. If the Niedzwiecki's center block in the original shape with the ACE material then Niedzwiecki's connector would function properly.

Conclusion

1. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Truc T. T. Nguyen whose telephone number is 571-272-2011. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula Bradley can be reached on 571-272-2800 extension 33. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Truc T. T. Nguyen
Primary Examiner
Art Unit 2833

